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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,038	11/14/2003	Denise E. Fuller	2510.001	1401
28362	7590	11/30/2004	EXAMINER	
BRUCE & MCCOY ONE KAISER PLAZA STE. 2360 OAKLAND, CA 94612			PATEL, DHIRUBHAI R	
			ART UNIT	PAPER NUMBER
			2831	

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/714,038

Applicant(s)

FULLER ET AL.

Examiner

DHIRU R PATEL

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Objections

1. Claims 1-7 objected to because of the following informalities:

In claim 1 line 4, " the front surface" the examiner suggests change to -- a front surface--.

In claim 1 line 10, " a rack" the examiner suggests change to said rack instead for improved clarity.

In claim 1 lines 11-12, " a vertical stack" the examiner suggests change to said vertical stack instead for improved clarity.

In claim 1 line 17, " the lower plate" the examiner suggests change to -- a lower plate --.

In claim 1 line 19, " said pan" the examiner suggests change to said bottom pan instead for improved clarity and match with claim 1 line 18.

In claim 1 line 22, " said fiber optic cable" the examiner suggests change to --said cable -- instead for improved clarity and match with claim 1 line 26.

In claim 1 line 27, " cable" the examiner suggests change to said cable instead for improved clarity.

In claim 7 lines 1-2, " MTP" should be spelled out completely.

Appropriate correction is required.

Note: use claim 1, as guideline to incorporate changes in the remaining claims as suggested by examiner.

Specification

2. The disclosure is objected to because of the following informalities:

On page 4, "MTP" should be spelled out completely.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 8 is rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for a rectangular box, the specification does not reasonably provide enablement for “ at least one MTP For extraction there therethrough” (see claim 8 lines 30-38). The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make or assemble the invention commensurate in scope with the claims. The specification doesn't reasonably disclose the claimed subject matter of claim 8, and therefore the subject matter of claim 8 is not enabled by the disclosure of the invention. The applicant is required to cancel the claim or provide a reasonable explanation of why they feel the specification supports the subject matter as disclosed in claim 8.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

In claim 1 line 19, “ said lower reel plate” lacks of antecedent basis.

In claim 1 line 30, “ a coupler” should be a second coupler because at least one coupler being claimed in claim 1 line 26.

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In claim 1 line 32, " said faceplate panel" lacks of antecedent basis.

Allowable Subject Matter

5. The following is an examiner's statement of reasons for allowance:

The primary reasons for the indication of the allowability of claims 1- 7 are the inclusion therein, in combination as currently claimed, of the limitation of said enclosure comprising: said reel having a multiple of low- rise protuberances formed around said hub at least on a lower plate exterior surface of said reel.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Other prior art cited

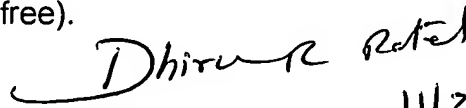
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Massey, Bruckner, Filshie, Schaffer, Giebel, and Noble disclose a box similar to applicant's claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DHIRU R PATEL whose telephone number is 571-272-1983. The examiner can normally be reached on M-TH, 6:30 TO 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-1982. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


DHIRU R PATEL
Primary Examiner
Art Unit 2831
11/24/04.
